L.R

(1891-92)

172-91

1611

Suit. Appeal of Venkatarama Bhatta
in re the Grant of Sy. no. 38
in Hallena Halli Village
Madugiri Taluk -

P.J. 118 of 92

G. R. S. IX-5]

Previous references.

1891-92

~~192~~ .

(L. R.)

File No. 172-11

Serial Nos. 1-11

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 – 11

Major ~~Part~~ B for May 1892.

SUBJECT.

Appeal of Tammanakatta in the Panchayat of S. No. 38 in Sankeshwar Village, Gadhinglaj Taluka.

Issued to No.

The Deputy Commissioner, Kanara
No. 1894 / P.S. 118-92 Dated 20.4.92.

Sl. 10. Forward copy of the decision on the appeal in question.

WD 2233—GPB—20,000—14-6-20

Communicated

Memo.

Appeal Nos. 91 of 1891.

Appellant -
Venkatrama bhat
Maddapiri Taluk.

Case under Rule I
Clause (4) Disposal of
Occupancy rights. It
falls also under Cl: (4)
Claim respecting the occu-
pation of waste or vacant
land &c.

On 10th June 1886
Appellant's brother Venka-
ramaya (now dead) re-
presented to the Survey
Supt. that about 4 acres
of land belonging to
his Inam Nos. 28 & 36
had been wrongly
Survey measurement
(of 1881) included
in the adjoining Khanab
No. 38; that although
the portion thus taken
away could not be
restored to him as Inam

yet the whole of the Khand
No. 38, extent 16 acres
11 gunthas might
be granted to him
at 4 annas per acre;
and that the 4 acres
referred to above contained
the Mango trees planted
by his ancestor.

The Survey Supt.
informed the Petr. that
his application for the
grant of Khand land
on assessment should
be made to the Revenue
Authorities.

Venkatesaya then
addressed the Collector,
who after obtaining the
necessary information
through the Tahsildar
and inspecting the
locality personally
recommended the grant
of 4 acres 13 gunthas
on assessment to
be fixed by the Survey
Supt: and observed
that the objection
to the grant of the land
(on the ground of cattle
inconvenience to their
cattle) was frivolous.

The Deputy

(1) 29th June 86.

(2) 30th April 1890.

8

Com missioner observed that the extent of 4 acres was too small to form a number, that the Khasra no: should be sliced with boundary or sub-divided in to two nos.

8.5.90.

The Khasra no: was sub-divided into 2 nos: & the Amildar submitted the papers & his dy Surv: who measured them & his Survey Supt: for the purpose of fixing the assessment.

8.8.90.

The survey Supt: stated that the land was a "Muffat" (free grazing) number, the sanction of Govt was necessary.

The deputy Comm: pointed out to the Surv: Supt:

(1) that the land (no: 38) was not 'Gomal', the Faisal Patrik containing no remark to that effect;

(2) that the village was a Jodi village, it was brought under Govt

Marriage-Settlement, and
the Survey Settlement
Law made in 1863
by the Talukdi Authorities;
and that the
Rent in question might
be assessed.

After some further
Correspondence the Survey
Settlement Officer
the Deputy Com. Kat-
although the Faisal
Patrick contained no
remark, yet the Khatwar
contained the remark
"Khanab-for Cattle";
that if the Rent was
one allowed as formal
the sanction of Govt.
was necessary, but
if otherwise being sold
for Arbaccas there
was no objection
Assessment being
fixed

The Dy Com. asked
the Arbitrators upon what
authority the remark
in the Khatwar had been
written, although it no
land appeared to have
been allowed as formal
during the Survey Settlement.

5

The Amildar reported that the Shembhog showed the Khanat No: of the village as 'Gomal' in the 'Gorkwara' account No: 11 in 1883-84 as advised by the Collector Canara, and that the account + box signed by the then Amildar and that there was no authority for the remark written by the Shembhog.

The Dy Com: then ordered the No: to remain as before. The grounds assigned are —

(1) Although the Faisal Patrick does not shew this No: it have been set apart for 'Gomal' yet a remark to that effect made subsequently appears to have been signed by the Amildar

(2) The Ryots have been using the land as 'Gomal' then.

(3) They object to the

29.7.91

land being given out for cultivation.

The present appeal against the above order. The appellant contends:

(1) That the land is not Gomal.

(2) That the remark in the Khatwar was made by the Shanbhog in 1804

(3) Inquiry has shewed that the portion applied for was formerly in the enjoyment of the grandfather of the Ryot objecting to the grant.

(4) That ill-feeling exists between the Ryots of the village and some of the Ryots because they were punished criminally in 1893 upon the complaint of Appellant's brother Venkatesayya that the accused had cut and removed stone ledges on the portion of the land in question and that owing to this

ill-feeling the portion
of the land in question
was caused by the Rail
to be included in the
adjoining Criminal Rd.

The main points
in dispute are —
(1) Is the land
formed?

(2) Whether the 4 acres
of land in question
formed part of the
Reserve as alleged
by the Appellant.

19/7/92

Appeal No. 91 of 1891

Appellant.

Venkat rambhat
Pension Jamadar
of Mandigalli
Mudhagiri taluk.

In June, 830 the appellant

Bonda Venkatsangya
(now dead) obtained
grant to the Sirdeshmukh
& then to the Appellant
for the grant of Kharab
No. 38, Extent 16 acres
& 11 guntas at 4 annas
assessed per acre on
the ground that it contained
about 4 acres of land
formerly forming part
of his Inam, (now
Survey Nos. 28 & 36.
After some correspondence
with the Collector, the
Deputy Comr. rejected
the Survey Appeal & direct

The Khasi land has
not been divided into 2 Nos:
The Survey Supdt observed
that the land was a
'Buffer' (free-grazing)
Number 2 in Sketch,
required the sanction
of Govt. The Dy Com
pointed out to the
Sur: Supdt: that the
land was not 'jowai',
the Khasi Chiefs con-
tending no right to
that effect. The Supdt:
after Sur: stated in
reply that the Chiefs
contended the remark
" Khasi-for cattle"
had if the word 'jowai'
the sanction of Govt
was necessary, but if
the Subsequent enjoyment
only, assessment might
be fixed. The Dy Com:
asked the Author upon
what authority the remark
was written in the Khasi-
L it was found out that
it was written by the
Shillong Settlement authority
Mr Dyson. Plan dated
on 29th July 1891 -

12

Appeal Case 7. for

appellant. Venkataramiah

-

Writ not returned yet

O.P. 8/4 Served 8.

20-4-93.

Appl by Mr Satyanarayanaiah

6/4
16.

From the report
of the Commissioner it appears that the area of Cattle
in the village is about 195 acres and as the area 52 acres 16 guntas
is [illegible] for personal
purposes .... and as a portion
of Sy No. 38 which originally formed
part of the Appellant was
by Govt. Notification added on to
the same Sy No 38 the Petitioner claimed the
[illegible] the whole
of Sy No. 38. minus 16 guntas [illegible]

hemp should be at the
rate of [illegible] per ton [illegible]
and [illegible] on [illegible]

20/4/93.

Proceedings of the Government of Fort St. George
the Board of Revenue.

Revenue — Dy 11th February 1891.

Read:-

Proceedings No. 106 (3-5) — 212 of the 23rd December 1890.

No. 12469-77 — Con. 259, dated 11th February 1891.

Order — The form of the statement prescribed in para 2 of the above Proceedings having been revised as shown in the margin, the Deputy Commissioners are requested to adopt the same in reporting on the applications for Ryotwari lands for cultivation or other purposes.

(By) J. Ananda Row
Chief Secretary

To
The Deputy Commissioners of Salt
" Superintendent, Revenue Survey

Taluk	Village	Area of land assessed as Village waste	Area of land under cultivation in the Village	Total extent of Ryotwari land in the village		Extent of Ryotwari land for cultivation or other purposes		Remarks as to whether the remaining extent of Ryotwari land is required for pasture, fuel or any other purpose, and whether it may be granted for any of the purposes mentioned in col. 7	Number of the order
				Survey No.	Extent	Survey No.	Extent		
		A.	A.		A.		A.		

1891

Government of Mysore

Revenue

Proceedings

Dated 11th February 1891

No 12469-77
cur 259

Prescribing a revised
form of statement for
submission with reports
on applications for Gomal
lands for cultivation or
other purposes

ttlement i.e. 82 trees per
ilefully misled the Survey
thorities into the belief that
plot belonged to Govt and
accordingly folded it to
land No 38.

The Shanabogue Colluding
th them made a false
tatement in the Relavar of
that the plot was Gomal.
His explanations on this
ead makes it clear
d the Statement is
unauthorized.

Subsequently, this takrar
eing made before the
anabandi officer Mr
anchanatha Rao, he and
r Shanabogue visited the Spot and
isited the plot and fully decided the takrar
be groundless, but also, e-
roll to the talak that the
and No 38 may, with e-
ermission of the Deputy
ommissioner be deplotted
d the plot in question
ay be given to the petitioner.
accordingly

The Deputy Comr wrote
the Survey Supt for
etting the land No 38 deplotted.
We not only approved
te D. form, deplotted
and. No 38 into 3 mino
lots, and permitted to
et these out for cultivation,
but also demanded an
explination for the inser-
tion of the word Gomal
into the Relavar, Stating
that Survey

Appeal is within time.
Petition properly stamped.
Copy of the order appealed against is produced.
Para: 3 Rule 1 of 1881 rules.
Admitted & the Council
20th Octr/91 AA

(General Serial No. 32.)

189

15 (3)

No. 13 : 2 : 1 7 1 7

Name of Petitioner.
Tin Kata Tambatta

Village. Madiyanattu

Taluk. Nadugani.

District. Nilgiris Division.

Date of Arzi. 10 - 9 - 91

Date of Receipt. 12 - 9 - 91

Date of Disposal.

No. of Enclosures.

Proceedings in appeal
Petitioner stated that
the land claimed was
once a part of Petitioners
Swam & of Co, viz, 4 Kan
acres in Gomai
AA
7/11/91

ABSTRACT.

Appeals against the
Tumkur District depute
Comrs order No 234 dat
29-7-91 on the ground
that the Deputy Comr ha
for the following reason
ered in supposing that
part of land No 38 Cal
Kabal Gomai:-
The plot in question rig
ally formed, a part of th
petitioners Balamania lan
No 28. Some time ago
when about 6 persons
stealthily lopped off s
branches of Gongi trees
standing on the land
the petitioner carried
his Complaint to the
Amildar who convict
them (as per Criminal
Case No 11 of 1873).
During the Survey

Records contained no such remark.

Therefore if these facts clearly show that the land No. in question is a part of the said Battamanni; the petitioner requests that it may be given to him free of Kadayem; if not he requests that it may be given to him with a Kadayem fixed on it.

Order No. 384 issued to the petitioner on the 5th of August 91, by the Collector of Madras Taluks is instructed by the Deputy Comr. in his order No. 284 dated 29-7-91.

Your Memorial for Land No. 38 Kasaba, was Submitted to the Deputy Comr. I am directed by his order No. 284, inform you as follows:—

The previous A

has not, in his facial-
-patricia of the Survey-
-Jamabandi, remarked
that the land in ques-
-ion is Gomal.

But the remark
Gomal seems to
have been made
subsequently and
it bears the Amildar
Signature. Ever
since the Ryots have
been using it as
Gomal.

Even the Ryots object
to its being let out
for Cultivation. As
has it as it is, seems
to be better than to
proceed to get it cancel-
-ed.

Therefore reject the
Darkast.

8-10-91

MYSORE

[illegible]

131

Regd

Two Rupees Stamp affixed.

[illegible]

[illegible]

[illegible]

[illegible] 1891 [illegible] 100 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

1882 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 389 / 5-8-91 [illegible]

[illegible]

[illegible]

[illegible]

1. [illegible]

[illegible]

2. [illegible]

3. [illegible] 1873 [illegible]

4. [illegible]

Rec. 11-8 Rs. 4

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 1312
dated 16 Oct 91 received at the
Dewan's Office from Venkata, Ramana
Iyengar of Bullagana-
halli, Badagiri Taluk,

is forwarded, together with its 4
enclosures, to the Dy Commr
Tumkur Distt for what
it should be stated
whether the land claimed
was once a part of
Petitioner's Inam, and
if so why it was in-
cluded in Gomal.

By Order,

for Chief Secretary.

BANGALORE,
7/11/1891.

Drafted as for
Cl orders. HM

Noted

Pen Deputt
Mch 29/2

(General Serial No. 30). 11834

189 / 92 P. 97

From The Deputy Commissioner
Punjab District

To: The Chief Secretary to the
Government of Bombay.

Dated Camp. Pathri 2-3 March
1892

Despatched

Received

Enclosures No.

General No.
Civil No. 935.

Regarding to your
reminder No: C. W. 11 of
the 3rd instant calling
for report on the petition
of Venkatarao Bhatta
of Mallam taluka in
the Nandegaon Talukā,
I have the honor to state
that on the information
received from the Assis-
-tant on the subject and
may be he has again
been called on to fur-
-nish the required
particulars and that
on

Wait till the 10th
inst: & if the
report be not
received then
issue another
reminder

Mch 4/3.
L. Sen

4/3/92

B 3
28.2.92

on receipt of his reply the report called for will be submitted.

I have the honor to be,

Sir,

Your most obedt servant

Deputy Commissioner

(General Serial No. 30.)

1892.

From

The Chief Secretary to the Dewan of Mysore

To

The Deputy Commr
Tumkur dist.

Dated

Despatched 14 March /92

Received

From the same No. 9647 dt 21/3/92

Enclosures No.

General No. 1403-1/2 Re

No. 224.

Abstract of proceedings dated 27th Feby 1892

Sir, I am directed to state that the report promised in the above regarding the petition of Venkatasamudhatta of Kallenhalli, Madagiri Taluq is awaited.

I have the honor to be
Sir
Your most obedient servant
Illegible

Draft

Under Secretary

(General Serial No. 30.)

1894

OFFICE OF THE
24 MAR. 92
RECEIVED
MAN OF COURT

From The Deputy Commissioner
Chitaldrug District

Submitted to the Council with Memo & Spl. Ms
H
9/7/92

2147
Pet. Dept. 25-3-92

The Chief Secretary to the ~~Dewan~~ Govt. of Mysore

Dated 24th March 1892.

Despatched

Received

Enclosures No. Petition

To the General No. 224

Chief Secretary Govt. of Mysore

Reports on petition of Venkatramaiah attached to Mallen Mallu in the Kadarapur Table. Land record No.

Pet. Dept.
Mysore
24/3/92

Submitted for perusal by the Hon. Pet. Secy.
H
28/3/92

Submitted
MM 25/3

A3
24-3-92

Deputy Commissioner's Office
Tumkur District

No. [illegible]. Tumkur 21st March 1892

To

The Chief Secretary
to the Government of Mysore

Sir

With reference to the correspondence ending with your Docket No. 14195½/224 of the 14th instant about the petition of Venkatramanbhatta of Mallenahalli in the Muddagiri Taluk, I beg to submit the following particulars.

2. On the 29th June 1886 Venkatesiah a brother of the petitioner tendered an application in the Taluk Office for land bearing Survey No. 38 in the said village for purposes of cultivation stating that about 4 acres of it originally belonged to him as dharm, that thro' the instigation and false report of the villagers it was included in the number, that

that portion should be restored to him, and that if that could not be done the whole of No. 38 might be granted to him assessed at 4 annas per acre). After local enquiry the Taluk authorities submitted the record to the then Deputy Commissioner. For orders. Upon this the Survey Superintendent was addressed to fix an assessment on the land. He after further correspondence observed that as the land was Gomal the sanction of the government should be obtained beforehand for assessing it. On this orders were issued on the 29th July 1891 to reject the application and to retain the land as Gomal as before).

3. Now the petitioner appeals to government against the order of rejection of his application.

4 As regards the question of a part of the land having once been the Petitioner's Inam, the record discloses

the following points:-

There are four pieces of land bearing Survey Nos 64, 36, 15 and 28, measuring in all 27 acres 34 Guntas. The petitioner enjoys as Inam the first two nos measuring 7 acres and 6 Guntas and a half of the latter two nos measuring 10 acres and 14 Guntas. Thus on the whole the petitioner enjoys 17 acres and 20 Guntas as Inam. But according to his title-deed the extent of his Inam is 20 acres and 14 Guntas. Thus there is a deficit of 2 acres and 34 Guntas. The petitioner alleges that the Eastern portion of his Inam nos 15 and 28 was included in Survey No 38 now in question at the time of the Survey Settlement thro' the instigation of the villagers of Ullenahalli who are inimical to him.

5. The enquiry made since the receipt of your memo: on the subject

shews that the petitioner's contention is right i.e. that a portion of his steam land was included in Survey N°. 38.- The entire record is herewith submitted together with the appeal petition and its enclosures.

I have the honor to be

Sir

Your Most Obedient Servant

Deputy Commissioner

Limuru District

(General Serial No. 30.)

189 .

From

The Chief Secretary
to the Dewan of Mysore.

To

The Deputy Commr
Tumkur &c

Dated 12
Despatched 13 } August 1892
Received

Enclosures No.

General No. 2147
Pol F No. 115-92

Calling for information
as to the total area of
Jonal land in the Mal-
lenahalli village, Nan-
dagiri Taluk.

References to be marked.

To
The Dy. Commr. Tinnevelly.

51

The letter from the Govt. Secy. Madras reporting on the petition from Venkatasamudrattu of Kallamalli village, Madurai Dist.

With reference to the above, I have the honor to request that the Dy. Commr. will report according to the prescribed form, the total area of punjah land in the Kallamalli village, the number of cattle &c.

By order

Draft
(explanatory)
20. V

12/18
Chief Secy

(General Serial No. 30.)

1892-93 5-5-93.

From The Deputy Commissioner
Tumkur District

To The Chief Secretary
to the Government of Mysore

Dated Tumkur 29th November
Despatched 29th do 1892
Received

Enclosures No. 1

General No.
No. 478

Secretary's docket No. 2147
dated 13th August 1892 Pet 7 118-92

Submitting in the prescribed form a Statement showing the total area of Gomal Land &c in the Mudlenalli Village in the Madagiri Taluk -

Peta Br.
Mysore
30/11

Observe that the statement is not in the prescribed form a copy whereof is herein enclosed for info & future guidance.

The report called for should be submitted in this form

BL
1/12/92

30/11/92

23

Deputy Commissioner's Office

Tumkur District

Ev. 478 Tumkur 28th November 1892.

(10)

To.

The Chief Secretary to the
Government of Mysore

Sir

With reference to your docket No. 2147 Pet 7 118-92 dated 13th August 1892, I have the honor to submit herewith in the prescribed form a statement shewing the total area of Gomal land vea in the Mallenahalli village in the Maddagiri Taluk.

I have the honor to be
Sir
Your most Obedient Servant

[signature]

Deputy Commissioner

Statement shewing the total area of Gomal land in the Mallenahalli Village of the Maddagiri Taluk

Village	No. of Survey Fields	Extent	No. of cattle in the Village	Remarks.
Mallenahalli	2	185 27	193	

Deputy Commissioner
Tumkur district

Tumkur
28th November 1892

(General Serial No. 30.)

189 .

From

The Chief Secretary
to the Durbar of Mysore.

To

Dated 15th
Despatched 3.
Received

Enclosures No.

General No. 7684.
Pet^{n} No. 115-92

Calling for a statement
of ~~receipts & charges~~
in the prescribed form
~~from date~~ showing the
particulars of Govt
lands applied for & granted
within or adjacent
~~to~~ Municipalities.

References to be marked.

From the same No 813 / 17-12-92

To
The Dy: Comm:,
Tuticorin.

36

—"—

Sir/Madam I/We have
the honour to submit/s a
statement showing the total
area of land under cultivation
in the Maidanatti village
Maddagiri taluk.

—"—

I/We the honor to
observe that the statement
referred to is not in the
prescribed form. ~~a copy~~ received in G.O. No. 1260-77-3
Ci 259
~~is enclosed~~
11-8-81/91, and
~~for information and~~
~~guidance.~~
to request the submission
of a statement
in the prescribed
form. Yours
~~I/We request that~~
~~a blank form may be sent to me~~
~~enclosed herewith~~
~~form.~~
2/10/82

Yours obedt servt

[illegible]

For Chief Secy

Noted

(General Serial No. 30.)

OFFICE OF THE
6544
GOVT. OF
1892 19 DEC.
R 1691
Pol 309

From Secy to Commissioner
Trichinopoly

To

The Chief Secretary to the ~~Govt~~ Govt
of Mysore.

Dated Trichinopoly 17th December
Despatched 1892
Received

Enclosures No. 1

General No.
No. 519.

Secy's No 7684 of 3rd Instt
118

Submitting a statement in the prescribed form shewing the total area of the Zamal land and the portion thereof, applied for for cultivation by Venkatramanabhatta in Mallenahalli in the Hadagini Taluk

Rec'd 19/12

Mysore Govt &
Submitted & Min
Council.

R 24/12/92

Recd 21/12

22/12

Deputy Commissioner's Office
Tumkur District

No 519

Camp - Sasalu 17th December 1892

To.

The Chief Secretary to the
Government of Mysore

Sir

With reference to your No. 7684/118 of 3rd instant, I have the honor to submit herewith a statement in the prescribed form showing the total area of the Gomal land and the portion thereof, applied for for cultivation by Venkatramanabhatta in Mallenahalli in the Maddagiri Taluk.

I have the honor to be
Sir
Your most obedient servant

Deputy Commissioner

Statement shewing the total area of the Gomal land and the portion thereof applied for cultivation in the Mallenahalli Village of the Madagiri taluk.

Taluk	Hobli	Village	Area of land under occupation in the village		Area of assessed unoccupied waste		Total extent of Gomal land in the village			Extent applied for cultivation building or other purposes			No of cattle in the village	Remarks as to whether the remaining extent of Gomal land is sufficient for grazing purposes and whether villagers have any objection to the grant of the land applied for and the grounds of their objection if any
							Survey No.	Extent		Survey No.	Extent			
			a	g	a	g		a	g		a	g		
Madagiri	Madagiri	Mallenahalli	231	39	85	7	54	169	16					The villagers object to the grant of the land applied for for cultivation by Venkatramanabhatta on the ground that both the Survey Nos are necessary for their cattle.
							38	16	11	38	16	11	193	
								185	27					

× Vide para 2 of this office No. 964 of 23d March 1892.

Dy Commrs Office
Tumkur Dt.
Camp: Madhugiri 17th March 1892

Assistant Commissioner
Deputy Commissioner

Before the Government of *His Highness* the Maharaja of Mysore.

Appeal No. 91 of 1891

Appellant. Vs. Respondent.

Venkatrambhat,
by M. Seetaramia,
Amin, Channapatna,
of Madenhalli,
Magadi Sabak.

Decision. Dated 21st April 1893.

This is an appeal against the order of the Deputy Commissioner of Tumkur, declining to grant survey No. 32 in the village of Madenhalli, Magadi Sabak, to the Appellant for cultivation, on the ground that though the land was not shown as Gomal in the Jamabandi Patti, yet it had been entered as such in the Kharab and was recorded by the Ryots, who paid the Sayer to be given out for cultivation.

The Appellant contends that the land is not Gomal.

The Deputy Commissioner was asked to report in the prescribed form the exact area of Gomal land in the village. From the report submitted by the Deputy Commissioner it appears that the number of cattle in the

village is about 193 and that the ground of the village consists of :—

(1) Survey No 54 measuring 16 acres 0 Gunta
(2) " 38 " 16 " 11 "

Total 185. 27

As No 54 measuring 16 acres 0 Guntas is sufficient for ground purposes and as a portion of the Appellant's Inam land excluding the Survey Settlement, called as S No 35, the Government are pleased to exempt the whole of No 38 measuring 16 acres 11 Guntas belonging absolutely to the said Inam by lands of similar quality in the village and join over to Appellant.

By Order
Illegible
15
Superintendent

18078
Pet: F. 1892

Copy of the above is forwarded to the Collector for information and guidance, with the usual request that his letter No 4 dated 2nd March 1892.

By Order.

Illegible
Asst Secretary

8-5-93 3

No. 91
1312

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
6 May 1893
8

Endorsement granted to Venkatarama Bhatta of Nallenahalli, Maddagiri, Taluk, Tumkur District,

in reply to his Petition Registered No. 1312 A.S. No 91 dated 10-9-91 appealing against the order of the Deputy Commr of Tumkur declining to grant Survey No 58 in Nallenahalli, Maddagiri Taluk to Petitioner for cultivation.

Petitioner is informed that Government are pleased to sanction the whole of Survey No. 58 being assessed at the rate borne by lands of similar quality in the village and given over to Petitioner.

2. The enclosures are herewith returned.

8/5/93

Draft

"By Order"

Chief Secretary.

Mysore Govt. Central Press, Bangalore.—9-2-93—2000.

that his land should remain unassessed as before.

The appeal is against the above order. The appellant contends that the land is not 'gomal'. A trial about 4 acres of his inam was through the malice of the Patel against him included in the Kharab no.

The points in dispute are -

(1) Is the land 'gomal'?

(2) Whether his 4 acres of land formed part of the inam formerly

As regards the 1st point - The Shembhoji statement shows that the Kharab nos of the village were shown in the Goshwara asst no. 11 as 'gomal' as advised by the Asstt Gumasta The Asstl our reports that his remarks appear to have been added without authority.

Regard to the 2nd point —

The Dy Conr. in submitting the Proc. of this case state that the enquiry was made shows that a portion of the Appellants land was included in Survey No. 38.

The reasons assigned by the Dy Conr. in the Order appealed against are -

(1) a remark made subsequently to the effect that the land is 'Jomal' appears to have been signed by the then Asstt.

(2) The Ryots have been using the land since then. (1883-84).

(3) They object to the land being given out.

Yr
19/7/92

Dy Conr. should be called upon to report the actual area of Jomal land, the number of cultivators according to the form prescribed

Yr
7/8/92

Yr
6/8/92

Submitted - to the Council - The Dy Conrs report in the prescribed form is received & submitted herewith -

Yr
24/12/92

Posted for hearing on 20th April/93